

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NOVADAQ TECHNOLOGIES, INC.,

Plaintiff,

v.

KARL STORZ GMBH & CO. K.G., et al.,

Defendants.

Case No. [14-cv-04853-PSG](#)

**ORDER GRANTING-IN-PART
MOTION FOR CLARIFICATION**

(Re: Docket No. 285)

Plaintiff Novadaq Technologies, Inc. has filed several motions to exclude the testimony of expert witnesses put forth by Defendant Karl Storz GmbH & Co. KG and its American counterpart Defendant Karl Storz Endoscopy-America, Inc.¹ Karl Storz moves for clarification, objecting that these separately filed motions violate the court's previous order that the parties each should submit a single, twenty-five-page brief containing all of their motions in limine.² Novadaq points out in opposition that the court regularly hears noticed motions raising *Daubert* challenges separately from other motions in limine, and Novadaq's motions comport with that practice.³

On balance, the court agrees with Novadaq. The parties may file *Daubert* challenges—and only those challenges—as separate motions to exclude, subject to the notice and timing requirements of the Local Rules. All other motions in limine must comply with the restrictions the

¹ See Docket Nos. 281, 283.

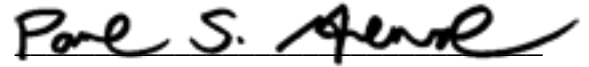
² See Docket No. 285; Docket No. 285-2 at 87:20-24.

³ See Docket No. 287 at 2; see, e.g., *Good Tech. Corp. v. AirWatch, LLC*, Case No. 12-cv-5827, Docket Nos. 231, 233; *Good Tech. Corp. v. MobileIron, Inc.*, Case No. 12-cv-5826, Docket Nos. 293-4, 296, 358, 361.

1 court issued earlier. The relief that Karl Storz seeks is DENIED.

2 **SO ORDERED.**

3 Dated: November 3, 2015



PAUL S. GREWAL
United States Magistrate Judge

United States District Court
Northern District of California